

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ADOBE SYSTEMS, INC.,

CASE NO. 5:14-cv-00389 EJD

Plaintiff(s),

**ORDER VACATING CASE
MANAGEMENT CONFERENCE**

v.

DANIEL SMITH, et. al.,

Defendant(s).

Having reviewed Plaintiff's report filed on August 22, 2014 (Docket Item No. 28), the court finds that a scheduling conference is unnecessary at this time. Accordingly, the Case Management Conference scheduled for August 29, 2014, is VACATED and Plaintiff shall comply with the following orders:

1. In light of the letters sent to the court by Duy Nguyen (see Docket Item Nos. 22, 23), Plaintiff's anticipated Motion for Entry of Default Judgment must explain, in detail, how Plaintiff came to know that the individual served is responsible for the conduct alleged in the Complaint. This explanation should include reference to any discovery which supports the involvement of the particular individual living at the particular address identified.
2. Pursuant to Federal Rule of Civil Procedure 4(m), the deadline for completion of service of process on Defendant Daniel Smith is **September 2, 2014**. Accordingly, on or before that date, Plaintiff shall either (1) serve Smith with the Summons and

Complaint, (2) dismiss Smith from this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), or (3) file an administrative motion which demonstrates good cause for an extension of the service deadline. Plaintiff is notified that the court will dismiss Smith without prejudice if Plaintiff does not comply with this order or fails to show good cause as directed.

IT IS SO ORDERED.

Dated: August 26, 2014


EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

ADOBE SYSTEMS INC,
Plaintiff,

Case Number: CV14-00389 EJD

CERTIFICATE OF SERVICE

v.

DANIEL SMITH ET AL,
Defendant.

_____/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 26, 2014, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Duy Nguyen
3701 Jackson Shoals Dr
Lawrenceville, GA 30044

Dated: August 26, 2014

Richard W. Wieking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk